

DRAFT

Issue Date

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
(xxxx xxxx xxxx xxxx xxxx)

15-xxxE CAB  
File No. 0262

Mr. Kelvin Chun  
Terminal Manager  
Aloha Petroleum, Ltd.  
661 Kalanianaʻole Avenue  
Hilo, Hawaii 96720

Dear Mr. Chun:

**SUBJECT: Covered Source Permit (CSP) No. 0262-02-C**  
**Application for Initial Permit No. 0262-07**  
**Aloha Petroleum, Ltd.**  
**Nawiliwili Terminal**  
**Located At: 3145 Waapa Road, Lihue, Kauai**  
**UTM: Zone 4, 463,113 m E, 2,427,871 m N (NAD 83)**  
**Date of Expiration: Five years from issue date**

The subject covered source permit is issued in accordance with Hawaii Administrative Rules (HAR), Title 11, Chapter 60.1. The issuance of this initial covered source permit is based on the plans, specifications, and information that you submitted as part of your application received on July 27, 2015. This permit supersedes Noncovered Source Permit (NSP) No. 0262-02-N issued on September 18, 2012, in its entirety.

The covered source permit is issued subject to the conditions/requirements set forth in the following attachments:

Attachment I: Standard Conditions  
Attachment IIA: Special Conditions – Equipment in Gasoline Service  
Attachment IIB: Special Conditions – Storage Tanks  
Attachment IIC: Special Conditions – Bottom Loading Load Rack  
Attachment II – INSIG: Special Conditions – Insignificant Activities  
Attachment III: Annual Fee Requirements  
Attachment IV: Annual Emissions Reporting Requirements

The following forms are enclosed for your use and submittal as required:

Compliance Certification Form  
Annual Emissions Report Form: Storage Tanks  
Annual Emissions Report Form: Bottom Loading Load Rack

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Monitoring Report Form: Equipment Leaks  
Monitoring Report Form: Storage Tanks  
Monitoring Report Form: Bottom Loading Load Rack  
Monitoring Report Form: Malfunctions  
Excess Emissions Report Form: Equipment Leaks  
Excess Emissions Report Form: Bottom Loading Load Rack

This permit: (a) shall not in any manner affect the title of the premises upon which the equipment is to be located; (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment; and (c) in no manner implies or suggests that the Hawaii Department of Health, Clean Air Branch (herein after referred to as Department), or its officers, agents, or employees, assumes any liability, directly or indirectly, for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.

If you have any questions, please contact Ms. Jing Hu of the Clean Air Branch at (808) 586-4200.

Sincerely,

STUART YAMADA, P.E., CHIEF  
Environmental Management Division

JH:rg

Enclosures

**ATTACHMENT I: STANDARD CONDITIONS  
COVERED SOURCE PERMIT NO. 0262-02-C****Issuance Date:****Expiration Date:**

This permit is granted in accordance with HAR, Title 11, Chapter 60.1, Air Pollution Control, and is subject to the following standard conditions:

1. Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement, including form, on which each term or condition is based.  
  
(Auth.: HAR §11-60.1-90)
2. This permit, or a copy thereof, shall be maintained at or near the source and shall be made available for inspection upon request. The permit shall not be willfully defaced, altered, forged, counterfeited, or falsified.  
  
(Auth.: HAR §11-60.1-6; SIP §11-60-11)<sup>2</sup>
3. This permit is not transferable whether by operation of law or otherwise, from person to person, from place to place, or from one piece of equipment to another without the approval of the Department, except as provided in HAR, Section 11-60.1-91.  
  
(Auth.: HAR §11-60.1-7; SIP §11-60-9)<sup>2</sup>
4. A request for transfer from person to person shall be made on forms furnished by the Department.  
  
(Auth.: HAR §11-60.1-7)
5. In the event of any changes in control or ownership of the facilities to be constructed or modified, this permit shall be binding on all subsequent owners and operators. The permittee shall notify the succeeding owner and operator of the existence of this permit and its conditions by letter, copies of which will be forwarded to the Department and the U.S. Environmental Protection Agency (EPA), Region 9.  
  
(Auth.: HAR §11-60.1-5, §11-60.1-7, §11-60.1-94)
6. The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for the Covered Source Permit. There shall be no deviation unless additional or revised plans are submitted to and approved by the Department, and the permit is amended to allow such deviation.  
  
(Auth.: HAR §11-60.1-2, §11-60.1-4, §11-60.1-82, §11-60.1-84, §11-60.1-90)

7. This permit (a) does not release the permittee from compliance with other applicable statutes of the State of Hawaii, or with applicable local laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the covered source.

(Auth.: HAR §11-60.1-5, §11-60.1-82)

8. The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of HAR, Chapter 11-60.1 and the Clean Air Act and is grounds for enforcement action; for permit termination, suspension, reopening, or amendment; or for denial of a permit renewal application.

(Auth.: HAR §11-60.1-3, §11-60.1-10, §11-60.1-19, §11-60.1-90)

9. If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and shall remain valid.

(Auth.: HAR §11-60.1-90)

10. The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit.

(Auth.: HAR §11-60.1-90)

11. This permit may be terminated, suspended, reopened, or amended for cause pursuant to HAR, Sections, 11-60.1-10 and 11-60.1-98, and Hawaii Revised Statutes (HRS), Chapter 342B-27, after affording the permittee an opportunity for a hearing in accordance with HRS, Chapter 91.

(Auth.: HAR §11-60.1-3, §11-60.1-10, §11-60.1-90, §11-60.1-98)

12. The filing of a request by the permittee for the termination, suspension, reopening, or amendment of this permit, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

(Auth.: HAR §11-60.1-90)

13. This permit does not convey any property rights of any sort, or any exclusive privilege.

(Auth.: HAR §11-60.1-90)

14. The permittee shall notify the Department and U.S. EPA, Region 9, in writing of the following dates:

- a. The **anticipated date of initial start-up** for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date;
- b. The **actual date of construction commencement** within fifteen (15) days after such date; and
- c. The **actual date of start-up** within fifteen (15) days after such date.

(Auth.: HAR §11-60.1-90)

15. The permittee shall furnish, in a timely manner, any information or records requested in writing by the Department to determine whether cause exists for terminating, suspending, reopening, or amending this permit, or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Department copies of records required to be kept by the permittee. For information claimed to be confidential, the Director of Health may require the permittee to furnish such records not only to the Department but also directly to the U.S. EPA, Region 9, along with a claim of confidentiality.

(Auth.: HAR §11-60.1-14, §11-60.1-90)

16. The permittee shall notify the Department in writing, of the **intent to shut down air pollution control equipment for necessary scheduled maintenance** at least twenty-four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:
  - a. Identification of the specific equipment to be taken out of service, as well as its location and permit number;
  - b. The expected length of time that the air pollution control equipment will be out of service;
  - c. The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;
  - d. Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and
  - e. The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period.

(Auth.: HAR §11-60.1-15; SIP §11-60-16)<sup>2</sup>

17. **Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with HAR, Section 11-60.1-16.5, in the event any emission unit, air pollution control equipment, or related equipment malfunctions or breaks down in such a manner as to cause the emission of air pollutants in violation of HAR, Chapter 11-60.1 or this permit**, the permittee shall immediately notify the Department of the malfunction or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the malfunction or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

- a. Identification of each affected emission point and each emission limit exceeded;
- b. Magnitude of each excess emission;
- c. Time and duration of each excess emission;
- d. Identity of the process or control equipment causing the excess emission;
- e. Cause and nature of each excess emission;
- f. Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the malfunction or breakdown does not interfere with the attainment and maintenance of the National Ambient Air Quality Standards and state ambient air quality standards;
- g. Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and
- h. A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance.

The submittal of these notices shall not be a defense to an enforcement action.

(Auth.: HAR §11-60.1-16; SIP §11-60-16)<sup>2</sup>

18. The permittee may request confidential treatment of any records in accordance with HAR, Section 11-60.1-14.

(Auth.: HAR §11-60.1-14, §11-60.1-90)

19. This permit shall become invalid with respect to the authorized construction if construction is not commenced as follows:

- a. Within eighteen (18) months after the permit takes effect, is discontinued for a period of eighteen (18) months or more, or is not completed within a reasonable time.
- b. For phased construction projects, each phase shall commence construction within eighteen (18) months of the projected and approved commencement dates in the permit. This provision shall be applicable only if the projected and approved commencement dates of each construction phase are defined in Attachment II, Special Conditions of this permit.

(Auth.: HAR §11-60.1-9, §11-60.1-90)

20. The Department may extend the time periods specified in Standard Condition No. 19 upon a satisfactory showing that an extension is justified. Requests for an extension shall be submitted in writing to the Department.

(Auth.: HAR §11-60.1-9, §11-60.1-90)

21. The permittee shall submit fees in accordance with HAR, Chapter 11-60.1, Subchapter 6.

(Auth.: HAR §11-60.1-90)

22. All certifications shall be in accordance with HAR, Section 11-60.1-4.

(Auth.: HAR §11-60.1-4, HAR §11-60.1-90)

23. The permittee shall allow the Director of Health, the Regional Administrator for the U.S. EPA and/or an authorized representative, upon presentation of credentials or other documents required by law:

- a. To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of this permit and inspect at reasonable times all facilities, equipment, including monitoring and air pollution control equipment, practices, operations, or records covered under the terms and conditions of this permit and request copies of records or copy records required by this permit; and
- b. To sample or monitor at reasonable times substances or parameters to ensure compliance with this permit or applicable requirements of HAR, Chapter 11-60.1.

(Auth.: HAR §11-60.1-11, §11-60.1-90)

24. Within thirty (30) days of **permanent discontinuance of the construction, modification, relocation, or operation of the facility covered by this permit**, the discontinuance shall be reported in writing to the Department by a responsible official of the source.

(Auth.: HAR §11-60.1-8; SIP §11-60-10)<sup>2</sup>

25. Each permit renewal application shall be submitted to the Department and the U.S. EPA, Region 9, no less than twelve (12) months and no more than eighteen (18) months prior to the permit expiration date. The Director of Health may allow a permit renewal application to be submitted no less than six (6) months prior to the permit expiration date, if the Director of Health determines that there is reasonable justification.

(Auth.: HAR §11-60.1-101, 40 CFR §70.5(a)(1)(iii))<sup>1</sup>

26. The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable.

(Auth.: HAR §11-60.1-93)

27. The compliance plan and compliance certification submittal requirements shall be in accordance with HAR, Sections 11-60.1-85 and 11-60.1-86. As specified in HAR, Section 11-60.1-86, the compliance certification shall be submitted to the Department and the U.S. EPA, Region 9, once per year, or more frequently as set by any applicable requirement.

(Auth.: HAR §11-60.1-90)

28. Any document (including reports) required to be submitted by this permit shall be certified as being true, accurate, and complete by a responsible official in accordance with HAR, Sections 11-60.1-1 and 11-60.1-4, and shall be mailed to the following address:

**Clean Air Branch  
Environmental Management Division  
Hawaii Department of Health  
919 Ala Moana Boulevard, Room 203  
Honolulu, HI 96814**

**Upon request and as required by this permit, all correspondence to the State of Hawaii Department of Health associated with this Covered Source Permit shall have duplicate copies forwarded to:**

**Chief  
Permits Office, (Attention: Air-3)  
Air Division  
U.S. Environmental Protection Agency  
Region 9  
75 Hawthorne Street  
San Francisco, CA 94105**

(Auth.: HAR §11-60.1-4, §11-60.1-90)

29. To determine compliance with submittal deadlines for time-sensitive documents, the postmark date of the document shall be used. If the document was hand-delivered, the date received ("stamped") at the Clean Air Branch shall be used to determine the submittal date.

(Auth.: HAR §11-60.1-5, §11-60.1-90)

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<sup>1</sup>The citations to the Code of Federal Regulations (CFR) identified under a particular condition, indicate that the permit condition complies with the specified provision(s) of the CFR. Due to the integration of the preconstruction and operating permit requirements, permit conditions may incorporate more stringent requirements than those set forth in the CFR.

<sup>2</sup>The citations to the State Implementation Plan (SIP) identified under a particular condition, indicate that the permit condition complies with the specified provision(s) of the SIP.



**ATTACHMENT IIA: SPECIAL CONDITIONS  
EQUIPMENT IN GASOLINE SERVICE  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:**

**Expiration Date:**

In addition to the standard conditions of the covered source permit, the following special conditions shall apply to the permitted facility:

**Section A. Equipment Description**

1. Attachment IIA of this permit encompasses each piece of equipment used in a system that transfers gasoline or gasoline vapors. Equipment under Attachment IIA is each valve, pump, pressure relief device, sampling connection system, open-ended valve or line, flange or other connector in the gasoline liquid transfer.

(Auth.: HAR §11-60.1-3; 40 CFR §63.11100)

**Section B. Applicable Federal Regulations**

1. Each piece of equipment in gasoline service is subject to the provisions of Attachment IIA and the following federal regulations:
  - a. 40 Code of Federal Regulations (CFR) Part 63, National Emission Standards for Hazardous Air Pollutants (NESHAP), Subpart A – General Provisions.
  - b. 40 CFR Part 63, NESHAP, Subpart BBBBBB, NESHAP for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

(Auth.: HAR §11-60.1-3, §11-60.1-90, and §11-60.1-161; 40 CFR §63.11080, §63.11081, §63.11082)<sup>1</sup>

2. The permittee shall comply with all applicable requirements of these standards, including all emission limits, notification, testing, monitoring, and reporting requirements. The major requirements of these standards are detailed in the special conditions of this permit.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161)

**Section C. Operational Limitations and Standards**

1. Leak Inspection
  - a. The permittee shall perform monthly leak inspection of all equipment in gasoline service. For the monthly leak inspection, detection methods incorporating sight, sound, and smell are acceptable.
  - b. A log book shall be used and shall be signed by the responsible official or operator at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.

- c. Each detection of a liquid or vapor leak shall be recorded in the log book.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §63.11089)<sup>1</sup>

## 2. Leak Repair

- a. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than five (5) calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within fifteen (15) calendar days after detection of each leak, except as provided in Attachment IIA, Special Condition No. C.2.b.
- b. Delay of repair of leaking equipment will be allowed if the repair is not feasible within fifteen (15) days.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §63.11089)<sup>1</sup>

## **Section D. Monitoring and Recordkeeping Requirements**

### 1. Records

All records, including support information, shall be maintained for at least five (5) years from the date of the monitoring sample, measurement, test, report, or applications. Support information includes all maintenance, inspection, calibration, and repair records, and copies of all reports required by this permit. These records shall be true, accurate, and maintained in a permanent form suitable for inspection and be made available to the Department or authorized representative(s) upon request.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-81, §11-60.1-90)

### 2. Recordkeeping

- a. The permittee shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service. If an instrument program is implemented for leak inspections, the record shall contain a full description of the program.
- b. The permittee shall record in a log book for each leak that is detected the following information:
  - i. The equipment type and identification number;
  - ii. The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell);
  - iii. The date the leak was detected and the date of each attempt to repair the leak;
  - iv. Repair methods applied in each attempt to repair the leak;
  - v. "Repair delayed" and the reason for the delay if the leak is not repaired within fifteen (15) calendar days after discovery of the leak;

- vi. The expected date of successful repair of the leak if the leak is not repaired within fifteen (15) days;
- vii. The date of successful repair of the leak; and
- viii. Inspector's name and signature.

(Auth: HAR §11-60.1-3, §11-60.1-81, §11-60.1-90; 40 CFR §63.11094)

## **Section E. Notification and Reporting Requirements**

### **1. Standard Condition Reporting**

Notification and reporting pertaining to the following events shall be done in accordance with Attachment I, Standard Condition Nos. 17 and 24, respectively:

- a. Emissions of air pollutants in violation of HAR, Chapter 11-60.1 or this permit (excluding technology-based emission exceedances due to emergencies); and
- b. Permanent discontinuance of construction, modification, relocation, or operation of the facility covered by this permit.

(Auth.: HAR §11-60.1-8, §11-60.1-15, §11-60.1-16, §11-60.1-90; SIP §11-60-10, §11-60-16)<sup>2</sup>

### **2. Notifications**

- a. The permittee shall submit to the Department and U.S. EPA, Region 9, notification of compliance status as specified in 40 CFR §63.9(h). Notification of compliance status shall be submitted in accordance with Attachment IIA, Special Condition No. E.6.
- b. The permittee shall submit to the Department and U.S. EPA, Region 9, additional notifications specified in 40 CFR §63.9, as applicable.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90; 40 CFR §63.9, §63.11093)<sup>1</sup>

### **3. Deviations**

The permittee shall report **within five (5) days** any deviations from the permit requirements, including those attributed to upset conditions, the probable cause of such deviations, and any corrective actions or preventive measures taken. Corrective actions may include a requirement for additional testing, more frequent monitoring, or implementation of a corrective action plan.

(Auth.: HAR §11-60.1-3, §11-60.1-15, §11-60.1-16, §11-60.1-90)

4. Monitoring Report

The permittee shall complete and submit a **semi-annual** monitoring report to the Department and U.S. EPA, Region 9. Each report shall be submitted **within sixty (60) days after** the end of each semi-annual calendar period (January 1 - June 30 and July 1 - December 31). The enclosed **Monitoring Report Form: Equipment Leaks** shall be used for reporting.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-90; 40 CFR §63.11095)<sup>1</sup>

5. Excess Emissions Report

The permittee shall complete and submit an excess emissions report to the Department and U.S. EPA, Region 9, at the time the semi-annual monitoring report specified in Attachment IIA, Special Condition No. E.4 is submitted. The enclosed **Excess Emissions Report Form: Equipment Leaks** shall be used for reporting.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-90; 40 CFR §63.11089, §63.11095)<sup>1</sup>

6. Compliance Certification

During the permit term, the permittee shall submit at least **annually** to the Department and U.S. EPA, Region 9, the attached **Compliance Certification Form** pursuant to HAR, §11-60.1-86. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. The compliance certification shall include, at a minimum, the following information:

- a. The identification of each term or condition of the permit that is the basis of the certification;
- b. The compliance status;
- c. Whether compliance was continuous or intermittent;
- d. The methods used for determining the compliance status of the source currently and over the reporting period;
- e. Any additional information indicating the source's compliance status with any applicable enhanced monitoring and compliance certification, including the requirements of Section 114(a)(3) of the Clean Air Act or any applicable monitoring and analysis provisions of Section 504(b) of the Clean Air Act;
- f. A brief description of any deviations including identifying as possible exceptions to compliance and periods during which compliance is required and which the excursion or exceedance as defined in 40 CFR Part 64 occurred; and
- g. Any additional information as required by the Department, including information to determine compliance.

The compliance certification shall be submitted within **sixty (60) days after** the end of each calendar year, and shall be signed and dated by a responsible official.

Upon the written request of the permittee, the deadline for submitting the compliance certification may be extended, if the Department determines that reasonable justification exists for the extension.

(Auth.: HAR §11-60.1-4, §11-60.1-86, §11-60.1-90)

**Section F. Agency Notification**

1. Any document (including reports) required to be submitted by this covered source permit shall be done in accordance with Attachment I, Standard Condition No. 28.

(Auth.: HAR §11-60.1-4, §11-60.1-90)

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<sup>1</sup>The citations to the Code of Federal Regulations (CFR) identified under a particular condition, indicate that the permit condition complies with the specified provision(s) of the CFR. Due to the integration of the preconstruction and operating permit requirements, permit conditions may incorporate more stringent requirements than those set forth in the CFR.

<sup>2</sup>The citations to the State Implementation Plan (SIP) identified under a particular condition, indicate that the permit condition complies with the specified provision(s) of the SIP.

**ATTACHMENT IIB: SPECIAL CONDITIONS  
STORAGE TANKS  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:****Expiration Date:**

In addition to the standard conditions of the covered source permit, the following special conditions shall apply to the permitted facility.

**Section A. Equipment Description**

1. Attachment IIB of this permit encompasses the following storage tanks and associated appurtenances:

<b>Tank No.</b>	<b>Working Capacity (gallons)</b>	<b>Tank Description</b>
2	47,880	Internal floating roof with primary seal and optional secondary seal
3	113,400	Internal floating roof with primary seal and optional secondary seal
8	495,600	Internal floating roof with primary seal and optional secondary seal
--	Greater than or equal to 40,000 gallons	Tanks storing volatile organic liquid (VOL) with true vapor pressure equal to or greater than 1.5 psia

(Auth.: HAR §11-60.1-3)

2. The permittee shall identify the tank number and product stored by each tank. The tank number and product shall be displayed on each tank at a conspicuous location.

(Auth.: HAR §11-60.1-5)

**Section B. Applicable Federal Regulations**

1. Tank Nos. 2, 3, and 8 are subject to the provisions of the following federal regulations **when storing gasoline** (any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 27.6 kilopascals or greater, which is used as a fuel for internal combustion engines):
  - a. 40 CFR Part 63, NESHAP, Subpart A, General Provisions.
  - b. 40 CFR Part 63, NESHAP, Subpart BBBB, NESHAP for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §60.2, §63.11081)<sup>1</sup>

2. The permittee shall comply with all applicable requirements of these standards, including all emission limits, notification, testing, monitoring and reporting requirements. The major requirements of these standards are detailed in the special conditions of this permit.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161)

**Section C. Operational Limitations**

**1. Tank Construction and Operation**

- a. Tanks greater than 40,000 gallons capacity storing VOL with a true vapor pressure equal to or greater than 1.5 psia (e.g., transmix, denatured ethanol, naphtha, aviation gasoline, motor gasoline, etc.) shall be either pressurized to prevent vapor or gas loss to the atmosphere or designed and equipped with one of the following vapor loss control devices:
  - i. A floating roof as specified in HAR §11-60.1-39 (a)(1);
  - ii. A vapor recovery system as specified in HAR §11-60.1-39 (a)(2); or
  - iii. Other equipment or means of equal efficiency for purposes of air pollution control as may be approved by the Department.
- b. Tank Nos. 2, 3, and 8 shall have a fixed roof in combination with an internal floating roof meeting the following specifications:
  - i. The true vapor pressure of the gasoline stored in the tanks shall be maintained below 11 psia (76.6 kPa) at all times.
  - ii. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside the fixed roof storage tank. The internal floating roof shall be floating on the liquid surface at all times except during initial fill and during those intervals when the storage tank is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying or refilling shall be continuous and shall be accomplished as rapidly as possible.
  - iii. The storage tank shall be equipped with one (1) of the following closure devices between the wall of the storage tank and the edge of the internal floating roof:
    - (1) A foam or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam-or liquid-filled seal mounted in contact with the liquid between the wall of the storage tank and the floating roof continuously around the circumference of the tank;
    - (2) Two (2) seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage tank and the edge of the internal floating roof, except that a secondary seal is not necessary and can be installed as optional control equipment. The lower seal (i.e., the primary seal) may be vapor-mounted (e.g., wiper seal), but both must be continuous; or
    - (3) A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage tank by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

- iv. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and rim space vents is to provide a projection below the liquid surface.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §60.112b, §63.11087)<sup>1</sup>

## 2. Tank Operation and Maintenance

The permittee, at all times, shall operate and maintain the storage tanks, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practice for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available, which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(Auth.: HAR §11-60.1-5; 40 CFR §63.11085)<sup>1</sup>

## **Section D. Monitoring and Recordkeeping Requirements**

### 1. Records

All records, including support information, shall be maintained for at least five (5) years from the date of the monitoring sample, measurement, test, report, or applications. Support information includes all maintenance, inspection, calibration, and repair records, and copies of all reports required by this permit. These records shall be true, accurate, and maintained in a permanent form suitable for inspection and be made available to the Department or authorized representative(s) upon request.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-81, §11-60.1-90)

### 2. Initial Inspection (Tank Nos. 2, 3, and 8)

After installing the control equipment required to meet Attachment IIB, Special Condition No. C.1.b, for storing gasoline, the permittee shall visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to the initial filling of the storage tank with gasoline. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the permittee shall repair the items before filling the storage tank.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §60.113b, §63.11092)<sup>1</sup>



3. Annual Inspection (Tank Nos. 2, 3, and 8)

- a. For tanks storing gasoline and equipped with a liquid-mounted or mechanical shoe primary seal, the permittee shall visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once **every twelve (12) months** after initial fill. If the internal floating roof is not resting on the surface of the gasoline inside the storage tank, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the permittee shall repair the items or empty and remove the storage tank from service within **forty-five (45) days**. If a failure that is detected during inspections required by this condition cannot be repaired within **forty-five (45) days** and if the tank cannot be emptied within **forty-five (45) days**, a **thirty-day (30-day)** extension may be requested from the Department in the annual inspection report required by Attachment IIB, Special Condition No. E.2.b. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the permittee will take that will assure that the control equipment will be repaired or the storage tank will be emptied as soon as possible.
- b. For tanks storing gasoline and equipped with a double-seal system as specified in Attachment IIB, Special Condition No. C.1.b.iii.(2), the permittee shall:
  - i. Visually inspect the storage tank at least once **every twelve (12) months** after initial fill as specified in Attachment IIB, Special Condition No. D.3.a; or
  - ii. Visually inspect the storage tank as specified in Attachment IIB, Special Condition No. D.4 at least **every five (5) years**.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §60.113b, §63.11092)<sup>1</sup>

4. Inspection after Tank Emptied and Degassed (Tank Nos. 2, 3, and 8)

For a tank storing gasoline, the permittee shall visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes, and sleeve seals (if any) **each time the storage tank is emptied and degassed**. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or seal fabric, or the secondary seal has holes, tears, or other openings in the seal or seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than ten (10) percent open area, the permittee shall repair the items, as necessary, so that none of the conditions specified in Attachment IIB, Special Condition No. D.4, exist before refilling the storage tank with gasoline. In no event shall inspections conducted in accordance with this permit condition occur at intervals greater than **ten (10) years** in the case of tanks conducting the annual visual inspection as specified in Attachment IIB, Special Condition Nos. D.3.a and D.3.b.i and at intervals no greater than **five (5) years** in the case of tanks specified in Attachment IIB, Special Condition Nos. D.3.b.ii.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §60.113b, §63.11092)<sup>1</sup>

5. Tank Records

- a. The permittee shall keep a record of each inspection performed as required by Attachment IIB, Special Condition Nos. D.2, D.3, and D.4. Each record shall identify the storage tank on which the inspection was performed and shall contain the date the tank was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).
- b. For each storage tank, records shall be maintained on the type of VOL stored, the period of storage, and the maximum true vapor pressure (in psia) of VOL during the respective storage period. Available data on storage temperature may be used to determine the maximum true vapor pressure in accordance with 40 CFR §60.116b(e) as follows:
  - i. For tanks operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.
  - ii. For refined petroleum products, available data on the Reid vapor pressure and the maximum expected storage temperature (based on the highest expected calendar-month average temperature) of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in the American Petroleum Institute Bulletin 2517 (incorporated by reference – see §60.17), unless the Department specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).
  - iii. For other liquids, the vapor pressure may be obtained from standard reference texts, or determined by ASTM D2879-83, 96, or 97 (incorporated by reference – see §60.17), or measured by an appropriate method approved by the Department, or calculated by an appropriate method approved by the Department.
- c. Records shall be maintained on the annual throughput for each VOL stored inside the storage tanks.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161, 40 CFR §60.115b, §60.116b, §63.11094, §63.11095)<sup>1</sup>

6. Malfunctions

The permittee shall keep the following records for malfunctions:

- a. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control or monitoring equipment.
- b. Records of actions taken during periods of malfunction to minimize emissions in accordance with Attachment IIB, Special Condition No. C.2, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §63.11094)<sup>1</sup>

**Section E. Notification and Reporting Requirements**

**1. Standard Condition Reporting**

Notification and reporting pertaining to the following events shall be done in accordance with Attachment I, Standard Condition Nos. 16, 17, and 24, respectively:

- a. Intent to shut down air pollution control equipment for necessary scheduled maintenance;
- b. Emissions of air pollutants in violation of HAR, Chapter 11-60.1 or this permit (excluding technology-based emission exceedances due to emergencies); and
- c. Permanent discontinuance of construction, modification, relocation, or operation of the facility covered by this permit.

(Auth.: HAR §11-60.1-8, §11-60.1-15, §11-60.1-16, §11-60.1-90; SIP §11-60-10, §11-60-16)<sup>2</sup>

**2. Inspection Reports**

- a. The permittee shall furnish a report to the Department and U.S. EPA, Region 9, after installing the control equipment in accordance with Attachment IIB, Special Condition No. C.1.b, and performing initial inspection pursuant to Attachment IIB, Special Condition No. D.2. The report shall describe the control equipment and certify that the control equipment meets the specifications of Attachment IIB, Special Condition Nos. C.1.b and D.2. This report shall be an attachment to the notification required by 40 CFR Part 60, §60.7(a)(3).
- b. A report shall be submitted to the Department and U.S. EPA, Region 9, **within thirty (30) days** of the annual visual inspection required by Attachment IIB, Special Condition Nos. D.3.a, if any conditions described in Attachment IIB, Special Condition No. D.3.a, are detected. Each report shall identify the storage tank, the nature of the defects, and the date the storage tank was emptied or the nature of and date the repair was made.
- c. A report shall be submitted to the Department and U.S. EPA, Region 9, **within thirty (30) days** of the inspection required by Attachment IIB, Special Condition No. D.3.b.i or D.3.b.ii, if the inspection finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in Attachment IIB, Special Condition No. D.3.a or D.4. The report shall identify the storage tank and the reason it did not meet the specifications of Attachment IIB, Special Condition No. C.1.b or No. D.3.b and list each repair made.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §60.113b, §60.115b, §63.11095)<sup>1</sup>

3. Notifications

- a. The permittee shall submit to the Department and U.S. EPA, Region 9, notification of compliance status as specified in 40 CFR §63.9(h). The notification of compliance status must specify which compliance options included in Table 1 to 40 CFR Part 63, Subpart BBBBBB, are used to comply with Subpart BBBBBB. Notification of compliance status shall be submitted in accordance with Attachment IIB, Special Condition No. E.7.
- b. The permittee shall submit to the Department and U.S. EPA, Region 9, additional notifications specified in 40 CFR §63.9, as applicable.
- c. The permittee shall notify the Department in writing at least **thirty (30) days** prior to each time each storage tank is to be filled or refilled for which an inspection is required by Attachment IIB, Special Condition Nos. D.2 and D.4, to afford the opportunity for a Department observer to be present. If the inspection required by Attachment IIB, Special Condition D.4, is unplanned and the required **thirty-day (30-day)** advance notice cannot be given, the permittee shall notify the Department at least **seven (7) days prior** to refilling the tank. Notification shall be made by telephone followed immediately by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification, including the written documentation, may be made in writing and sent by express mail, so that the Department receives the notice at least **seven (7) days prior** to the refilling.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90; 40 CFR §60.113b, §63.11092, §63.11093)<sup>1</sup>

4. Deviations

The permittee shall report **within five (5) working days** any deviations from permit requirements, including those attributed to upset conditions, the probable cause of such deviations, and any corrective actions or preventive measures taken. Corrective actions may include a requirement for testing, or more frequent monitoring, or could trigger implementation of a corrective action plan.

(Auth.: HAR §11-60.1-3, §11-60.1-15, §11-60.1-16, §11-60.1-90)

5. Annual Emissions

- a. As required by Attachment IV and in conjunction with the requirements of Attachment III, Annual Fee Requirements, the permittee shall submit **annually** the total tons per year emitted of each regulated air pollutant including hazardous air pollutants (HAPs). The reporting of annual emissions is due **within sixty (60) days** following the end of each calendar year. Completion and submittal of the **Annual Emissions Form: Storage Tanks**, shall be used for reporting.

- b. Upon the written request of the permittee, the deadline for reporting of annual emissions may be extended, if the Department determines that reasonable justification exists for the extension.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-90, §11-60.1-114)

#### 6. Monitoring Report

The permittee shall submit **semi-annually** the following written reports to the Department and U.S. EPA, Region 9. The reports shall be submitted **within sixty (60) days after** the end of each semi-annual calendar period (January 1 - June 30 and July 1 - December 31). The enclosed **Monitoring Report Form: Storage Tanks** and **Monitoring Report Form: Malfunctions**, shall be used for reporting.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90)

#### 7. Compliance Certification

During the permit term, the permittee shall submit at least **annually** to the Department and U.S. EPA, Region 9, the attached **Compliance Certification Form** pursuant to HAR, Subsection 11-60.1-86. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. The compliance certification shall include, at a minimum, the following information:

- a. The identification of each term or condition of the permit that is the basis of the certification;
- b. The compliance status;
- c. Whether compliance was continuous or intermittent;
- d. The methods used for determining the compliance status of the source currently and over the reporting period;
- e. Any additional information indicating the source's compliance status with any applicable enhanced monitoring and compliance certification, including the requirements of Section 114(a)(3) of the Clean Air Act or any applicable monitoring and analysis provisions of Section 504(b) of the Clean Air Act;
- f. A brief description of any deviations including identifying as possible exceptions to compliance any periods during which compliance is required and which the excursion or exceedances as defined in 40 CFR Part 64 occurred; and
- g. Any additional information as required by the Department, including information to determine compliance.

The compliance certification shall be submitted within **sixty (60) days after** the end of each calendar year, and shall be signed and dated by a responsible official.

Upon the written request of the permittee, the deadline for submitting the compliance certification may be extended, if the Department determines that reasonable justification exists for the extension.

(Auth.: HAR §11-60.1-4, §11-60.1-86, §11-60.1-90)

**Section F.**     **Agency Notification**

1. Any document (including reports) required to be submitted by this covered source permit shall be in accordance with Attachment I, Standard Condition No. 28.

(Auth.: HAR §11-60.1-4, §11-60.1-90)

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<sup>1</sup>The citations to the CFR identified under a particular condition, indicate that the permit condition complies with the specified provision(s) of the CFR. Due to the integration of the preconstruction and operating permit requirements, permit conditions may incorporate more stringent requirements than those set forth in the CFR.

<sup>2</sup>The citations to the State Implementation Plan (SIP) identified under a particular condition, indicate that the permit condition complies with the specified provision(s) of the SIP.

**ATTACHMENT IIC: SPECIAL CONDITIONS  
BOTTOM LOADING LOAD RACK  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:**

**Expiration Date:**

In addition to the standard conditions of the covered source permit, the following special conditions shall apply to the permitted facility:

**Section A. Equipment Description**

Attachment IIC of this permit encompasses a bottom loading load rack with one (1) loading lane and three (3) product load arms.

(Auth.: HAR §11-60.1-3)

**Section B. Applicable Federal Regulations**

1. The bottom loading load rack and associated appurtenances are subject to the provisions of the following federal regulations:

- a. 40 CFR Part 63, NESHAP, Subpart A, General Provisions.
- b. 40 CFR Part 63, NESHAP, Subpart BBBBBB, NESHAP for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §60.500, §63.11081)<sup>1</sup>

2. The permittee shall comply with all applicable provisions of these standards, including all emission limits and all notification, testing, monitoring, and reporting requirements. The major requirements of these standards are detailed in the special conditions of this covered source permit.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161)

**Section C. Operational and Emission Limitations**

1. Bottom Loading Load Rack

- a. The total combined throughput of the bottom loading load rack shall not exceed 22,000,000 gallons of gasoline, Hawaii Gasoline Before Oxygen Blend (HGBOB), and denatured ethanol in any rolling twelve-month (12-month) period.
- b. The total combined throughput of the bottom loading load rack shall not exceed 111,000,000 gallons of Jet A and diesel fuel in any rolling twelve-month (12-month) period.
- c. Within three (3) years after reaching a gasoline throughput of 250,000 gallons per day or greater, the permittee shall comply with the following requirements as specified in Option 1 of Table 2 to 40 CFR Part 63, Subpart BBBBBB (Gallons per day are calculated by summing the current day's throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365):

- i. Equip the loading rack with a vapor collection system designed to collect the total organic compound (TOC) vapors displaced from tank trucks during product loading;
  - ii. Reduce emissions of TOC to less than or equal to 80 mg/l of gasoline loaded into gasoline tank trucks at the loading rack;
  - iii. Design and operate the vapor collection system to prevent any TOC vapors collected at one loading rack or lane from passing through another loading rack or lane to the atmosphere; and
  - iv. Limit the loading of gasoline into gasoline tank trucks that are vapor-tight using the procedures specified in 40 CFR §60.502(e) through (j).
- d. The permittee shall use submerged filling at the load rack with a submerged fill pipe that is no more than six (6) inches from the bottom of the tank truck.

(Auth.: HAR §11-60.1-3, §11.60.1-5, §11-60.1-90, §11-60.1-161; 40 CFR §63.11083, §63.11088)<sup>1</sup>

## 2. Leak Inspection and Repair

- a. **At least monthly**, the bottom loading load rack shall be inspected during the loading of gasoline tank trucks for TOC liquid or vapor leaks in accordance with Attachment IIA, Special Condition No. C.1.
- b. The source of the leak shall be repaired in accordance with Attachment IIA, Special Condition No. C.2.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90, and §11-60.1-161, 40 CFR §60.502, §60.505, §63.11089; SIP §11-60-15)<sup>1,2</sup>

## 3. Load Rack Operation and Maintenance

The permittee, at all times, shall operate and maintain the load rack in a manner consistent with safety and good air pollution control practice for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available, which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(Auth.: HAR §11-60.1-5; 40 CFR §63.11085)<sup>1</sup>



**Section D. Monitoring and Recordkeeping Requirements**

**1. Records**

All records, including support information, shall be maintained for at least five (5) years from the date of the monitoring sample, measurement, test, report, or applications. Support information includes all maintenance, inspection, calibration, and repair records, and copies of all reports required by this permit. These records shall be true, accurate, and maintained in a permanent form suitable for inspection and be made available to the Department or authorized representative(s) upon request.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90)

**2. Load Rack Throughput**

The permittee shall install, operate, and maintain a flow meter for the bottom loading load rack to permanently measure and record the throughput of each product loaded. The non-resetting flow meter shall not allow the manual resetting or other manual adjustments of the meter readings. The installation of any new non-resetting meters or meter replacement of any existing non-resetting meters shall be designed to accommodate a minimum of five (5) years of equipment operation, considering any operational limitations, before the meter returns to a zero reading. A record of daily throughput of each product shall be maintained and the cumulative product throughput shall be reported in accordance with Attachment IIC, Special Condition Nos. E.4 and E.5.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90)

**3. Monthly Leak Inspections**

Equipment leak records shall be kept in accordance with Attachment IIA, Special Condition No. D.2.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90, and §11-60.1-161, 40 CFR §60.502, §60.505, §63.11089; SIP §11-60-15)<sup>1,2</sup>

**4. Maintenance**

The permittee shall keep maintenance records of all component replacements and additions for the bottom loading load rack.

(Auth.: HAR §11-60.1-3, §11-60.1-11, §11-60.1-90, §11-60.1-161; 40 CFR 60.505; SIP §11-60-15)<sup>1,2</sup>

5. Malfunctions

The permittee shall keep the following records for malfunctions:

- a. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
- b. Records of actions taken during periods of malfunction to minimize emissions in accordance with Attachment IIC, Special Condition No. C.3, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(Auth.: HAR §11-60.1-3, §11-60.1-90, §11-60.1-161; 40 CFR §63.11094)<sup>1</sup>

6. The permittee shall make records available within **twenty-four (24) hours** of a request by the Department to document the load rack's average daily gasoline throughput.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-90, §11-60.1-161; 40 CFR §63.11088)<sup>1</sup>

**Section E. Notification and Reporting Requirements**

1. Standard Condition Reporting

Notification and reporting pertaining to the following events shall be done in accordance with Attachment I, Standard Condition Nos. 16, 17, and 24, respectively:

- a. Intent to shut down air pollution control equipment for necessary scheduled maintenance;
- b. Emissions of air pollutants in violation of HAR, Chapter 11-60.1 or this permit (excluding technology-based emission exceedances due to emergencies); and
- c. Permanent discontinuance of construction, modification, relocation, or operation of the facility covered by this permit.

(Auth.: HAR §11-60.1-8, §11-60.1-15, §11-60.1-16, §11-60.1-90; SIP §11-60-10, §11-60-16)<sup>2</sup>

2. Notifications

- a. The permittee shall submit to the Department and U.S. EPA, Region 9, an initial notification as specified in 40 CFR §63.9(b) as applicable. For example, an initial notification is required after a gasoline throughput of 250,000 gallons per day is reached pursuant to Attachment IIC, Special Condition No. C.1.c. If the facility is in compliance with the requirements of 40 CFR Part 63, Subpart BBBBBB, at the time of initial notification is due, the notification of compliance status required under Attachment IIC, Special Condition Nos. E.2.b and E.6, may be submitted in lieu of the initial notification.

- b. The permittee shall submit to the Department and U.S. EPA, Region 9, notification of compliance status as specified in 40 CFR §63.9(h).
- c. The permittee shall submit to the Department and U.S. EPA, Region 9, additional notifications specified in 40 CFR §63.9, as applicable.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90; 40 CFR §63.9, §63.11093)<sup>1</sup>

### 3. Deviations

The permittee shall report **within five (5) working days** any deviations from permit requirements, including those attributed to upset conditions, the probable cause of such deviations and any corrective actions or preventive measures taken. Corrective actions may include a requirement for additional testing, or more frequent monitoring, or could trigger implementation of a corrective action plan.

(Auth.: HAR §11-60.1-3, §11-60.1-15, §11-60.1-16, §11-60.1-90)

### 4. Annual Emissions

- a. As required by Attachment IV and in conjunction with the requirements of Attachment III, Annual Fee Requirements, the permittee shall submit annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty (60) days following the end of each calendar year. Completion and submittal of the Annual Emissions Report Form: Bottom Loading Load Rack, shall be used for reporting.
- b. Upon the written request of the permittee, the deadline for reporting annual emissions may be extended, if the Department determines that reasonable justification exists for the extension.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-90)

### 5. Monitoring Reports

The permittee shall submit **semi-annually** the following written reports to the Department and U.S. EPA, Region 9. The reports shall be submitted **within sixty (60) days after** the end of each semi-annual calendar period (January 1 - June 30 and July 1 - December 31). The enclosed **Monitoring Report Form: Bottom Loading Load Rack** and **Monitoring Report Form: Malfunctions**, shall be used for reporting.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-11, §11-60.1-90; SIP §11-60-15)<sup>2</sup>

6. Compliance Certification

- a. During the permit term, the permittee shall submit at least **annually** to the Department and U.S. EPA, Region 9, the attached **Compliance Certification Form** pursuant to HAR, Subsection 11-60.1-86. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. The compliance certification shall include, at a minimum, the following information:
  - i. The identification of each term or condition of the permit that is the basis of the certification;
  - ii. The compliance status;
  - iii. Whether compliance was continuous or intermittent;
  - iv. The methods used for determining the compliance status of the source currently and over the reporting period;
  - v. Any additional information indicating the source's compliance status with any applicable enhanced monitoring and compliance certification, including the requirements of Section 114(a)(3) of the Clean Air Act or any applicable monitoring and analysis provisions of Section 504(b) of the Clean Air Act;
  - vi. A brief description of any deviations including identifying as possible exceptions to compliance any periods during which compliance is required and which the excursion or exceedances as defined in 40 CFR Part 64 occurred; and
  - vii. Any additional information as required by the Department, including information to determine compliance.
- b. The compliance certification shall be submitted within **sixty (60) days after** the end of each calendar year, and shall be signed and dated by a responsible official.
- c. Upon the written request of the permittee, the deadline for submitting the compliance certification may be extended, if the Department determines that reasonable justification exists for the extension.

(Auth.: HAR §11-60.1-4, §11-60.1-86, §11-60.1-90)

**Section F. Agency Notification**

1. Any document (including reports) required to be submitted by this covered source permit shall be in accordance with Attachment I, Standard Condition No. 28.

(Auth.: HAR §11-60.1-4, §11-60.1-90)

<sup>1</sup>The citations to the Code of Federal Regulations (CFR) identified under a particular condition, indicate that the permit condition complies with the specified provision(s) of the CFR. Due to the integration of the preconstruction and operating permit requirements, permit conditions may incorporate more stringent requirements than those set forth in the CFR.

<sup>2</sup>The citations to the State Implementation Plan (SIP) identified under a particular condition, indicate that the permit condition complies with the specified provision(s) of the SIP.

**ATTACHMENT II – INSIG: SPECIAL CONDITIONS  
INSIGNIFICANT ACTIVITIES  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:**

**Expiration Date:**

In addition to the standard conditions of the covered source permit, the following special conditions shall apply to the permitted facility:

**Section A. Equipment Description**

This attachment encompasses insignificant activities listed in HAR, §11-60.1-82(f) and (g), for which provisions of this permit and HAR, Subchapter 2, General Prohibitions, apply.

(Auth.: HAR §11-60.1-3)

**Section B. Operational Limitations**

1. The permittee shall take measures to operate applicable insignificant activities in accordance with the provisions of HAR, Subchapter 2.

(Auth.: HAR §11-60.1-3, §11-60.1-82, §11-60.1-90)

2. The Department may at any time require the permittee to further abate emissions if an inspection indicates poor or insufficient controls.

(Auth.: HAR §11-60.1-3, §11-60.1-5, §11-60.1-82, §11-60.1-90)

**Section C. Monitoring and Recordkeeping Requirements**

1. The Department reserves the right to require monitoring, recordkeeping, or testing of any insignificant activity to determine compliance with the applicable requirements.

(Auth.: HAR §11-60.1-3, §11-60.1-90)

2. All records shall be maintained for at least five (5) years from the date of any required monitoring, recordkeeping, testing, or reporting. These records shall be true, accurate, and maintained in a permanent form suitable for inspection and made available to the Department or their authorized representative upon request.

(Auth.: HAR §11-60.1-3, §11-60.1-11, §11-60.1-90)

**Section D. Notification and Reporting**

1. Compliance Certification

- a. During the permit term, the permittee shall submit at least **annually** to the Department and U.S. EPA Region 9, the attached **Compliance Certification Form** pursuant to HAR, Subsection 11-60.1-86. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. The compliance certification shall include at a minimum the following information:
  - i. The identification of each term or condition of the permit that is the basis of the certification;
  - ii. The compliance status;
  - iii. Whether compliance was continuous or intermittent;
  - iv. The methods used for determining the compliance status of the source currently and over the reporting period;
  - v. Any additional information indicating the source's compliance status with any applicable enhanced monitoring and compliance certification, including the requirements of Section 114(a)(3) of the Clean Air Act or any applicable monitoring and analysis provisions of Section 504(b) of the Clean Air Act;
  - vi. A brief description of any deviations including identifying as possible exceptions to compliance any periods during which compliance is required and which the excursion or exceedances as defined in 40 CFR Part 64 occurred; and
  - vii. Any additional information as required by the Department, including information to determine compliance.
- b. In lieu of addressing each emission unit as specified in the attached **Compliance Certification Form**, the permittee may address insignificant activities as a single unit provided compliance is met with all applicable requirements. If compliance is not totally attained, the permittee shall identify the specific insignificant activity and provide the details associated with the noncompliance.
- c. The compliance certification shall be submitted within **sixty (60) days after** the end of each calendar year and shall be signed and dated by a responsible official or authorized representative.
- d. Upon written request of the permittee, the deadline for submitting the compliance certification may be extended, if the Department determines that reasonable justification exists for the extension.

(Auth.: HAR §11-60.1-4, §11-60.1-86, §11-60.1-90)

**Section E. Agency Notification**

1. Any document (including reports) required to be submitted by this covered source permit shall be done in accordance with Attachment I, Standard Condition No. 28.

(Auth.: HAR §11-60.1-4, §11-60.1-90)

**ATTACHMENT III: ANNUAL FEE REQUIREMENTS  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:**

**Expiration Date:**

The following requirements for the submittal of annual fees are established pursuant to HAR, Title 11, Chapter 60.1, Air Pollution Control. Should HAR, Chapter 60.1, be revised such that the following requirements are in conflict with the provisions of HAR, Chapter 60.1, the permittee shall comply with the provisions of HAR, Chapter 60.1:

1. Annual fees shall be paid in full:
  - a. Within **one-hundred twenty (120) days** after the end of each calendar year; and
  - b. Within **thirty (30) days** after the permanent discontinuance of the covered source.
2. The annual fees shall be determined and submitted in accordance with Hawaii Administrative Rules, Chapter 11-60.1, Subchapter 6.
3. The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and be submitted on forms furnished by the Department.
4. The annual fees and the emission data shall be mailed to:

**Clean Air Branch  
Environmental Management Division  
Hawaii Department of Health  
919 Ala Moana Boulevard, Room 203  
Honolulu, HI 96814**

**ATTACHMENT IV: ANNUAL EMISSIONS REPORTING REQUIREMENTS  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:**

**Expiration Date:**

In accordance with HAR, Title 11, Chapter 60.1, Air Pollution Control, the permittee shall report to the Department the nature and amounts of emissions.

1. Complete the attached forms:

Annual Emissions Report Form: Storage Tanks

Annual Emissions Report Form: Bottom Loading Load Rack

2. The reporting period shall be from January 1 to December 31 of each year. All reports shall be submitted to the Department within **sixty (60) days** after the end of each calendar year and shall be mailed to the following address:

**Clean Air Branch  
Environmental Management Division  
Hawaii Department of Health  
919 Ala Moana Boulevard, Room 203  
Honolulu, HI 96814**

3. The permittee shall retain the information submitted, including all emission calculations. These records shall be in a permanent form suitable for inspection, retained for a minimum of five (5) years, and made available to the Department upon request.
4. Any information submitted to the Department without a request for confidentiality shall be considered public record.
5. In accordance with HAR, Section 11-60.1-14, the permittee may request confidential treatment of specific information, including information concerning secret processes or methods of manufacture, by submitting a written request to the Director and clearly identifying the specific information that is to be accorded confidential treatment.



**COMPLIANCE CERTIFICATION FORM  
COVERED SOURCE PERMIT NO. 0262-02-C  
(PAGE 1 OF \_\_\_\_)**

**Issuance Date:** \_\_\_\_\_

**Expiration Date:** \_\_\_\_\_

In accordance with HAR, Title 11, Chapter 60.1, Air Pollution Control, the permittee shall report to the Department of Health the following certification at least annually, or more frequently as requested by the Department of Health.

(Make Copies of the Compliance Certification Form for Future Use)

For Period: \_\_\_\_\_ Date: \_\_\_\_\_

Company/Facility Name: \_\_\_\_\_

Responsible Official (print): \_\_\_\_\_

Title: \_\_\_\_\_

Responsible Official (signature): \_\_\_\_\_

I certify that I have knowledge of the facts herein set forth, that the same are true, accurate and complete to the best of my knowledge and belief, and that all information not identified by me as confidential in nature shall be treated by Department of Health as public record. I further state that I will assume responsibility for the construction, modification, or operation of the source in accordance with the Hawaii Administrative Rules, Title 11, Chapter 60.1, Air Pollution Control, and any permit issued thereof.

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**COMPLIANCE CERTIFICATION FORM  
COVERED SOURCE PERMIT NO. 0262-02-C  
(CONTINUED, PAGE 2 OF \_\_\_\_)**

Issuance Date:

Expiration Date:

The purpose of this form is to evaluate whether or not the facility was in compliance with the permit terms and conditions during the covered period. If there were any deviations to the permit terms and conditions during the covered period, the deviation(s) shall be certified as *intermittent compliance* for the particular permit term(s) or condition(s). Deviations include failure to monitor, record, report, or collect the minimum data required by the permit to show compliance. In the absence of any deviation, the particular permit term(s) or condition(s) may be certified as *continuous compliance*.

**Instructions:**

Please certify Sections A, B, and C below for continuous or intermittent compliance. Sections A and B are to be certified as a group of permit conditions. Section C shall be certified individually for each operational and emissions limit condition as listed in the Special Conditions section of the permit (list all applicable equipment for each condition). Any deviations shall also be listed individually and described in Section D. The facility may substitute its own generated form in verbatim for Sections C and D.

**A. Attachment I, Standard Conditions**

<u>Permit term/condition</u>	<u>Equipment</u>	<u>Compliance</u>
All standard conditions	All Equipment listed in the permit	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent

**B. Special Conditions - Monitoring, Recordkeeping, Reporting, Testing, and INSIG**

<u>Permit term/condition</u>	<u>Equipment</u>	<u>Compliance</u>
All monitoring conditions	All Equipment listed in the permit	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
<u>Permit term/condition</u>	<u>Equipment</u>	<u>Compliance</u>
All recordkeeping conditions	All Equipment listed in the permit	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
<u>Permit term/condition</u>	<u>Equipment</u>	<u>Compliance</u>
All reporting conditions	All Equipment listed in the permit	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
<u>Permit term/condition</u>	<u>Equipment</u>	<u>Compliance</u>
All testing conditions	All Equipment listed in the permit	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
<u>Permit term/condition</u>	<u>Equipment</u>	<u>Compliance</u>
All INSIG conditions	All Equipment listed in the permit	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent

**COMPLIANCE CERTIFICATION FORM**  
**COVERED SOURCE PERMIT NO. 0262-02-C**  
**(CONTINUED, PAGE \_\_\_\_ OF \_\_\_\_)**

Issuance Date:

Expiration Date:

**C. Special Conditions - Operational and Emissions Limitations**

Each permit term/condition shall be identified in chronological order using attachment and section numbers (e.g., Attachment II, B.1, Attachment IIA, Special Condition No. B.1.f, etc.). Each piece of equipment shall be identified using the description stated in Section A of the Special Conditions (e.g., unit no., model no., serial no., etc.). Check all methods (as required by permit) used to determine the compliance status of the respective permit term/condition.

<u>Permit term/condition</u>	<u>Equipment</u>	<u>Method</u>	<u>Compliance</u>
		<input type="checkbox"/> monitoring <input type="checkbox"/> recordkeeping <input type="checkbox"/> reporting <input type="checkbox"/> testing <input type="checkbox"/> none of the above	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
		<input type="checkbox"/> monitoring <input type="checkbox"/> recordkeeping <input type="checkbox"/> reporting <input type="checkbox"/> testing <input type="checkbox"/> none of the above	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
		<input type="checkbox"/> monitoring <input type="checkbox"/> recordkeeping <input type="checkbox"/> reporting <input type="checkbox"/> testing <input type="checkbox"/> none of the above	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
		<input type="checkbox"/> monitoring <input type="checkbox"/> recordkeeping <input type="checkbox"/> reporting <input type="checkbox"/> testing <input type="checkbox"/> none of the above	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
		<input type="checkbox"/> monitoring <input type="checkbox"/> recordkeeping <input type="checkbox"/> reporting <input type="checkbox"/> testing <input type="checkbox"/> none of the above	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
		<input type="checkbox"/> monitoring <input type="checkbox"/> recordkeeping <input type="checkbox"/> reporting <input type="checkbox"/> testing <input type="checkbox"/> none of the above	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent
		<input type="checkbox"/> monitoring <input type="checkbox"/> recordkeeping <input type="checkbox"/> reporting <input type="checkbox"/> testing <input type="checkbox"/> none of the above	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent

**(Make Additional Copies if Needed)**

**COMPLIANCE CERTIFICATION FORM  
COVERED SOURCE PERMIT NO. 0262-02-C  
(CONTINUED, PAGE \_\_\_\_ OF \_\_\_\_)**

Issuance Date:

Expiration Date:

**D. Deviations**

<u>Permit Term/ Condition</u>	<u>Equipment / Brief Summary of Deviation</u>	<u>Deviation Period time (am/pm) &amp; date (mo/day/yr)</u>	<u>Date of Written Deviation Report to DOH (mo/day/yr)</u>
		Beginning:  Ending:	
		Beginning:  Ending:	
		Beginning:  Ending:	
		Beginning:  Ending:	
		Beginning:  Ending:	
		Beginning:  Ending:	
		Beginning:  Ending:	

\*Identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR 64 occurred.

**(Make Additional Copies if Needed)**

[illegible]

**ANNUAL EMISSIONS REPORT FORM  
BOTTOM LOADING LOAD RACK  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:****Expiration Date:**

In accordance with HAR, Title 11, Chapter 60.1, Air Pollution Control, the permittee shall report to the Department of Health the nature and amounts of emissions.

(Make Copies for Additional Use)

For Period: \_\_\_\_\_ Date: \_\_\_\_\_

Company Name: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Equipment Location: \_\_\_\_\_

**I certify that I have knowledge of the facts herein set forth, that the same are true, accurate, and complete to the best of my knowledge and belief, and that all information not identified by me as confidential in nature shall be treated by the Department of Health as public record.**

Responsible Official (print): \_\_\_\_\_

Title: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Responsible Official (signature): \_\_\_\_\_

Report the product throughput for the reporting period in the following table:

<b>PRODUCT</b>	<b>TOTAL THROUGHPUT (gallons/yr)</b>
HGBOB*	
Gasoline	
Denatured Ethanol	
Diesel	
Jet A	
Other	

\* Hawaii Gasoline Before Oxygen Blend

**Expiration Date:**

(Make Copies for Additional Use)

Equipment Location: \_\_\_\_\_

Responsible Official (signature):

[illegible]

**MONITORING REPORT FORM  
STORAGE TANKS  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:****Expiration Date:**

In accordance with HAR, Title 11, Chapter 60.1, Air Pollution Control, the permittee shall report to the Department of Health and U.S. EPA, Region 9, the following information semi-annually:

(Make Copies for Additional Use)

For Period: \_\_\_\_\_ Date: \_\_\_\_\_

Company Name: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Equipment Location: \_\_\_\_\_

I certify that I have knowledge of the facts herein set forth, that the same are true, accurate, and complete to the best of my knowledge and belief, and that all information not identified by me as confidential in nature shall be treated by the Department of Health as public record.

Responsible Official (print): \_\_\_\_\_

Title: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Responsible Official (signature): \_\_\_\_\_

1. Report true vapor pressure exceedances above eleven (11) psia for the reporting period for Tank Nos. 2, 3, and 8:

Tank No.	True Vapor Pressure (psia)	How Determined	Type of Fuel Stored	Period of Exceedance	Storage Temperature (°F)

2. Report a summary of tank inspection for the reporting period for Tank Nos. 2, 3, and 8:

Tank No.	Inspection Date	Description of Deficiencies/Defects	Date and Description of Repair	Date Tank was Last Emptied



**MONITORING REPORT FORM  
BOTTOM LOADING LOAD RACK  
COVERED SOURCE PERMIT NO. 0262-02-C  
(PAGE 1 OF 3)**

**Issuance Date:****Expiration Date:**

In accordance with HAR, Title 11, Chapter 60.1, Air Pollution Control, the permittee shall report to the Department of Health and U.S. EPA, Region 9, the following information semi-annually:

(Make Copies for Additional Use)

For Period: \_\_\_\_\_ Date: \_\_\_\_\_

Company Name: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Equipment Location: \_\_\_\_\_

I certify that I have knowledge of the facts herein set forth, that the same are true, accurate, and complete to the best of my knowledge and belief, and that all information not identified by me as confidential in nature shall be treated by the Department of Health as public record.

Responsible Official (print): \_\_\_\_\_

Title: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Responsible Official (signature): \_\_\_\_\_

1. Report the following bottom loading load rack throughput for the reporting period:

Month	Product			
	Gasoline (gallons)	HGBOB* (gallons)	Denatured Ethanol (gallons)	Total Combined Throughput on a Rolling 12-Month Basis (gallons)
January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				

\* Hawaii Gasoline Before Oxygen Blend

**MONITORING REPORT FORM  
BOTTOM LOADING LOAD RACK  
COVERED SOURCE PERMIT NO. 0262-02-C  
(PAGE 2 OF 3)**

Issuance Date:

Expiration Date:

2. Report the following bottom loading load rack throughput for the reporting period:

Month	Product		
	Jet A (gallons)	Diesel (gallons)	Total Combined Throughput on a Rolling 12-Month Basis (gallons)
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			

3. Report the maximum gasoline throughput for the reporting period in gallons per day:

\_\_\_\_\_

**MONITORING REPORT FORM  
BOTTOM LOADING LOAD RACK  
COVERED SOURCE PERMIT NO. 0262-02-C  
(PAGE 3 OF 3)**

**Issuance Date:****Expiration Date:**

4. For inspections performed in accordance with Attachment IIC, Special Condition No. C.2, report the following for the reporting period:

Month	Inspection Date	Leaks Detected (Yes/No)	Nature of Leak or Defect	Leak Determination Method	Date and Description of Repair
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					

For Reporting Period: \_\_\_\_\_ Date: \_\_\_\_\_

Company: \_\_\_\_\_

Facility Name: \_\_\_\_\_

**I certify that I have knowledge of the facts herein set forth, that the same are true, accurate and complete to the best of my knowledge and belief, and that all information not identified by me as confidential in nature shall be treated by the Department of Health as public record.**

Responsible Official (print): \_\_\_\_\_

Title and Phone Number: \_\_\_\_\_

Responsible Official (signature)\_\_\_\_\_

Report each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emissions limitation to be exceeded:

[illegible]

**Expiration Date:**

(Make Copies for Additional Use)

Equipment Location:

Responsible Official (signature): \_\_\_\_\_

-

**EXCESS EMISSIONS REPORT FORM  
BOTTOM LOADING LOAD RACK  
COVERED SOURCE PERMIT NO. 0262-02-C**

**Issuance Date:****Expiration Date:**

In accordance with HAR, Title 11, Chapter 60.1, Air Pollution Control, the permittee shall report to the Department of Health and U.S. EPA, Region 9, the following information semi-annually:

(Make Copies for Additional Use)

For Period:\_\_\_\_\_ Date:\_\_\_\_\_

Company Name:\_\_\_\_\_

Facility Name:\_\_\_\_\_

Equipment Location:\_\_\_\_\_

**I certify that I have knowledge of the facts herein set forth, that the same are true, accurate, and complete to the best of my knowledge and belief, and that all information not identified by me as confidential in nature shall be treated by the Department of Health as public record.**

Responsible Official (print):\_\_\_\_\_

Title:\_\_\_\_\_ Phone Number:\_\_\_\_\_

Responsible Official (signature):\_\_\_\_\_

1. Report in the following table, each instance of a non-vapor-tight gasoline tank truck loading at the facility in which there was failure to take steps to assure that such tank truck would not be reloaded at the facility before vapor tightness documentation for that tank truck was obtained.

Tank Truck Identification Number	Date of Loading

\* Please indicate if no such incidents occurred.

2. Report in the following table, each reloading of a non-vapor-tight tank truck before vapor tightness documentation for that tank truck is obtained in accordance with 40 CFR §63.11094(b).

Tank Truck Identification Number	Date of Loading

\* Please indicate if no such incidents occurred